

Title	Electronic Access to Court Calendars, Indexes, and Registers of Action (adopt Cal. Rules of Court, rule 2077.)
Summary	The proposed rule of court would specify the contents of the trial courts electronic versions of their court calendars, registers of actions, and indexes.
Source	Court Executives Advisory Committee
Staff	Marlene Hagman Smith, 415-865-7617
Discussion	<p>Rules 2070–2076 of the California Rules of Court established statewide guidelines for public access to electronic trial court records and statewide policies on providing reasonable access to electronic trial court records while protecting privacy and other legitimate interests. Under the new rules courts must, to the extent feasible, provide remote and courthouse access to electronic registers of actions, calendars, and indexes in all cases. However, courts do not currently uniformly maintain the same information in their electronic court calendars, indexes or registers of actions.</p> <p>To assist the courts in implementing the new electronic access rules, this proposed rule sets <i>minimum</i> requirements for contents for court calendars, indexes, and registers of actions. Courts may include more information in the electronic calendars, indexes or registers of action, so long as the register of actions remains a summary of events, as required by Government Code section 69845. That section provides that the register of actions must list each case, its title, the commencement date, “and a memorandum of every subsequent proceeding in the action with its date.”</p> <p>The proposed rule also sets forth information that may not be included in the electronic court calendars, indexes or registers of action. The information that must be excluded is mostly personal identifying information that is not legally required to be in the court calendar, indexes, or register of actions. Given the desire to maintain that information as confidentially as possible, the committee concluded it was best to not to provide remote electronic access to the personal identifying information.</p> <p>There was substantial discussion regarding whether to excluded a party’s date of birth. Some committee members noted that failure to provide this information would increase the number of persons</p>

coming to the court window, as the date of birth may be used to narrow searches. However, the committee concluded that while the date of birth is not confidential in court records, it should not be included in the register of actions. It is not a traditional entry in the register as the register is essentially a chronicle of the court's official acts in a particular case.

Attachment

Rule 2077 of the California Rules of Court would be adopted effective July 1, 2003, to read:

Rule 2077. Electronic Access to Court Calendars, Indexes, and Registers of Actions

(a) **[Intent]** The intent of this rule is to specify minimum contents of and information to be excluded from the court calendars, indexes, and registers of actions to which electronic access is provided under rule 2073(b). To the extent it is feasible for the court to do so, the court must maintain electronic court calendars, indexes, and registers of actions consistently with this rule.

(b) **[Minimum contents for court calendars, indexes, and register of actions for electronic access to court records]**

(1) The electronic court calendar must include:

- (A) Date of court calendar;
- (B) Time of calendared event;
- (C) Court department number;
- (D) Case number; and
- (E) Case title.

(2) The electronic index must include:

- (A) Case title;
- (B) Party names;
- (C) Party type;
- (D) Date case filed; and
- (E) Case number.

(3) The Register of actions must be a summary of every proceeding in a case, in compliance with Government Code section 69845, and must include:

- (A) Date case commenced;

41 (B) Case number;

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43 (C) Case type;

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45 (D) Case title;

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47 (E) Party names;

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49 (F) Party type;

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51 (G) Date of each activity; and

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53 (H) Type of each activity.

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55 **(c) [Information that must be excluded from court calendars, indexes, and**
56 **registers of action]** The following information must be excluded from a
57 court's electronic calendar, index, and register of actions:

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59 (1) Social security number;

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61 (2) Financial information (for example, bank accounts, credit card numbers);

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63 (3) Arrest warrant information;

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65 (4) Search warrant information;

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67 (5) Victim information;

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69 (6) Witness information;

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71 (7) Ethnicity;

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73 (8) Age;

74
75 (9) Gender;

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77 (10) Government issued identification card numbers (i.e., military);

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79 (11) Driver's license number; and

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81 (12) Date of birth.